

EXHIBIT Y

From: Alinder, Zachary J.
Sent: Friday, December 19, 2008 2:00 PM
To: 'Elaine Wallace'
Cc: Howard, Geoff; House, Holly; Hann, Bree; Greg Lanier; Scott Cowan; Jason McDonell; Joshua L Fuchs; Jane L Froyd; Polito, John A.
Subject: RE: Oracle's Supplemental Response to Interrogatory No. 13

Dear Elaine:

Authorship and ownership information is contained in the documents that Oracle produced and referenced in its supplemental interrogatory response, which is referenced by bates-number range in the response per the Parties' practice. Further, the prior amendments and responses list additional documents that contain authorship and ownership information, including but not limited to the registrations and deposits themselves. Further, Oracle is in the process of producing certain database information related to Customer Connection, which will also contain ownership and authorship information. Finally, in addition to all of the above, if Defendants agree that this will be sufficient supplementation as to topics 5 and 6 of the OIC 30(b)(6) notice, Oracle will agree to a further supplementation of its response to Interrogatory No. 13 as follows:

Enterprise pre-existing releases were authored by PeopleSoft and/or its subsidiaries, and owned by PeopleSoft and/or its subsidiaries until sometime after Oracle acquired PeopleSoft in 2005. Sometime after Oracle's acquisition of PeopleSoft, these releases were owned by Oracle International Corporation.

The copyright registrations and registration numbers of these pre-existing releases to the extent that they have been registered with the Copyright Office are a matter of public record."

Please let us know if you will agree that the proposed further supplementation will be sufficient. If not, like you, I will be out of the office next week, but we can touch base the following week to set a time to further meet and confer.

Happy holidays,
Zac.

From: Elaine Wallace [mailto:ewallace@JonesDay.com]
Sent: Thursday, December 11, 2008 4:40 PM
To: Alinder, Zachary J.
Cc: Howard, Geoff; House, Holly; Hann, Bree; Greg Lanier; Scott Cowan; Jason McDonell; Joshua L Fuchs; Jane L Froyd
Subject: Oracle's Supplemental Response to Interrogatory No. 13

Zac,

We have received Oracle's supplemental response to Interrogatory No. 13. We are still evaluating the response

but, as an initial matter, we note that it does not appear to address the information requested by Topic 6 of our Rule 30(b)(6) deposition notice to OIC. Specifically, the response does not contain any information concerning identification of the authors, current and former owners, and copyright registration numbers (if applicable) of the previous works on which each derivative work is allegedly based. Although Interrogatory Nb. 13 does not specifically request that information, pursuant to the parties' agreement, Oracle's supplemental response is in lieu of deposition testimony on Topics 5 and 6, so all information encompassed within those topics should be included in the response.

Is this an inadvertent omission or is it Oracle's position that the information above is contained in documents referenced in the response? If it is the latter, we need you to identify specifically (i.e. by Bates number) for each registration which documents Oracle contends provide information regarding the author of the pre-existing material on which the derivative work is based, the current and former owners of the pre-existing material, and the copyright registration number, if any, for the pre-existing material.

Regards,

Elaine Wallace
JONES DAY
555 California Street, 26th Floor
San Francisco, CA 94104
(415) 875-5831 (Direct Dial)
(415) 875-5700 (Fax)
ewallace@jonesday.com.

=====
This e-mail (including any attachments) may contain information that is private, confidential, or protected by attorney-client or other privilege. If you received this e-mail in error, please delete it from your system without copying it and notify sender by reply e-mail, so that our records can be corrected.
=====